



THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Atty. Docket No: 38464-0004

AUG 12 2002

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M. Q. J.

8/19/02

In re patent application of
WARMAN, Matthew L. et al.

Application No.: 09/931,375

Examiner: Unassigned

Filed: August 17, 2001

Art Unit: 1645

For: REGULATOR GENE AND SYSTEM USEFUL FOR THE DIAGNOSIS AND
THERAPY OF OSTEOPOROSIS

TRANSMITTAL OF FORMAL DRAWINGS

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTENTION: DRAWING REVIEW BRANCH

Sir:

Transmitted herewith is the formal drawings, Figures 1-13 (16 sheets) for the above-captioned application. The Official Draftsperson is respectfully requested to approve these drawings for entry into the application.

Respectfully submitted,

Date: February 1, 2002

By Patricia D. Granados

Patricia D. Granados

Attorney for Applicant

Registration No. 33,683

Customer No.: 26633
HELLER EHRMAN WHITE & MCAULIFFE
1666 K Street, NW, Suite 300
Washington, DC 20006
Telephone: (202) 912-2000
Facsimile: (202) 912-2020



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 16C1 464-0004

Applicant: Matthew L. WARMAN et al.

Confirmation No. 1602

Appl. No.: 09/931,375

Examiner: Unassigned

Filing Date: August 17, 2001

Art Unit: Unassigned

Title: REGULATOR GENE AND SYSTEM USEFUL FOR THE DIAGNOSIS
AND THERAPY OF OSTEOPOROSIS

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RESPONSE TO NOTICE OF INCOMPLETE REPLY

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Reply mailed on March 4, 2002, in the captioned application, Applicants submitted on January 30, 2002, their initial response to the Notice to File Missing Parts with the appropriate extension of time fee. On February 2, 2002, a second supplemental Response was filed which included the sequence listings and substitute drawings. As verification of such filings, enclosed are:

- XX Copy of Notice to File Missing Parts (dated 10/3/01)
- XX Copy of Postcard (Patent Office date stamped 1/30/02) in Response to Notice of Missing Parts dated 10/3/01
- XX Copy of Postcard (Patent Office date stamped 2/1/02) for Supplemental Response to Notice of Missing Parts dated 10/3/01
- XX Copy of Notice of Incomplete Reply (dated 3/4/02)
- XX Copy of Transmittal of Formal Drawings (w/16 sheets of drawings)

The initial Response to the Notice to File Missing Parts was filed on January 30, 2002, along with the appropriate two month extension of time fee. After which, Applicants filed a supplemental Response on February 1, 2002, within the two months extension time, enclosing the sequence listings and drawings. Applicants have enclosed a courtesy copy of the drawings filed on February 1, 2002, for the Examiner.

Serial No. 09/931,375

Attorney Docket No. 38464-0004

Applicants believe they are in full compliance with the Notice to File Missing Parts mailed on October 10, 2001, and that all necessary fees have been paid. The Commissioner is

hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 08-1641. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Assistant Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-1641.

Applicants respectfully request examination on the merits of this application.

Respectfully submitted,

March 15, 2002
Date

Patricia D. Granados
Patricia D. Granados
Reg. No. 33,683

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/931,375	08/17/2001	Matthew L. Warman	38464-0004

26633
HELLER EHRMAN WHITE & MCAULIFFE LLP
1666 K STREET,NW
SUITE 300
WASHINGTON, DC 20006

CONFIRMATION NO. 1602
FORMALITIES LETTER



Date Mailed: 10/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1008.
 - \$288 for 16 total claims over 20.
 - \$720 for 9 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1848.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

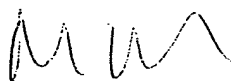
- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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AUG 12 2002
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Heller Ehrman White & McAuliffe
1666 K Street, NW, Suite 300
Washington, DC 20006-1228

Date: January 30, 2002

Docket No.: 38464-0004

The "Received" stamp of the U.S. Patent & Trademark Office hereon acknowledges receipt of the following:

Applicant: Matthew L. WARMAN et al.

Application Filed: August 17, 2001

Application Serial No.: 09/931,375

Title: REGULATOR GENE AND SYSTEM USEFUL FOR THE DIAGNOSIS AND THERAPY OF OSTEOPOROSIS

1. CHECK NO. 777 IN THE AMOUNT OF \$2,314.00 IN PAYMENT OF \$740.00 BASIC FILING FEE, \$1,044.00 EXTRA CLAIM FEE, \$130.00 SURCHARGE FEE, AND \$400.00 TWO MONTH EXTENSION OF TIME FEE
2. FEE TRANSMITTAL FOR FY 2002
3. TRANSMITTAL OF MISSING PARTS
4. DECLARATION AND POWER OF ATTORNEY (4 EXECUTED VERSIONS)
5. REQUEST FOR EXTENSION OF TIME (2 MONTH)
6. COPY OF NOTICE TO FILE MISSING PARTS



File in Mail Room

Date Due: 2/07/02

Inspected by: +LL

Return to: PDG/MAM/pdh

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Heller Ehrman White & McAuliffe
1666 K Street, NW, Suite 300
Washington, DC 20006-1228

Date: February 1, 2002

Docket No.: 38464-0004

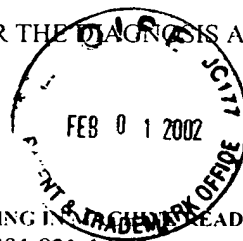
The "Received" stamp of the U.S. Patent & Trademark Office hereon acknowledges receipt of the following:

Applicant: Matthew L. WARMAN et al.

Application Filed: August 17, 2001

Application Serial No.: 09/931,375

Title: REGULATOR GENE AND SYSTEM USEFUL FOR THE DIAGNOSIS AND THERAPY OF OSTEOPOROSIS



1. TRANSMITTAL FORM
2. TRANSMITTAL OF FORMAL DRAWINGS (16 SHEETS)
3. SEQUENCE LISTING IN PAPER FORM
4. COMPUTER DISKETTE CONTAINING THE SEQUENCE LISTING IN MACHINE-READABLE FORM
5. AMENDMENT IN RESPONSE TO NOTICE UNDER 37 C.F.R. §§1.821-1.825
6. STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE WITH 37 C.F.R. §§1.821-1.825
7. COPY OF NOTICE TO FILE MISSING PARTS

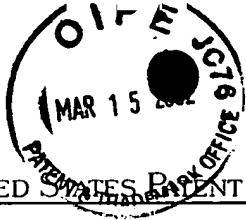
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Inspected by: BA

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UNITED STATES PATENT AND TRADEMARK OFFICE

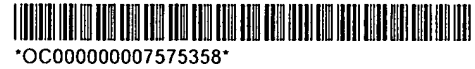
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/931,375 ✓	08/17/2001	Matthew L. Warman	38464-0004

26633
HELLER EHRMAN WHITE & MCAULIFFE LLP
1666 K STREET,NW
SUITE 300
WASHINGTON, DC 20006

CONFIRMATION NO. 1602

FORMALITIES LETTER



OC000000007575358

Date Mailed: 03/04/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 01/30/2002 to the Notice to File Missing Parts (Notice) mailed 10/03/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).


A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice MUST be returned with the reply.


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Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY